

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

Toyota Motor Credit Corporation



Order Filed on May 29, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Maritza Nieto, Pedro Nieto

Debtors.

Case No.: 13-16403 RG

Adv. No.:

Hearing Date: 3/21/18 @ 10:30 a.m.

Judge: Rosemary Gambardella

**AMENDED ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION
FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: May 29, 2018

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Maritza Nieto, Pedro Nieto

Case No: 13-16403 RG

Caption of Order: AMENDED ORDER CURING POST-PETITION ARREARS & RESOLVING
MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property 2012 TOYOTA 4RUNNER, VIN:JTEBU5JR0C5080636, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Russell Low, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of April 14, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2018 for a total post-petition default of \$655.46 and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$655.46 will be paid by Debtor remitting \$109.00 per month for five months, and \$110.46 for one month in addition to the regular monthly payments, which additional payments shall begin on May 6, 2018 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular payments are to resume May 6, 2018, directly to Secured Creditor, TMCC P.O. Box 5855 Carol Stream, IL 60197-5855; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that if the loan is not paid in full by the maturity date of November 6, 2018, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid no later than May 31, 2018; and

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Debtor: Maritza Nieto, Pedro Nieto

Case No: 13-16403 RG

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that this order shall survive discharge and none of the amounts contained herein will be discharged unless and until paid in full; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Pedro Nieto
Maritza Nieto
Debtors

Case No. 13-16403-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: May 30, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 01, 2018.

db/jdb +Pedro Nieto, Maritza Nieto, 16 Lenox Avenue, Maywood, NJ 07607-1115

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 01, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 30, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jeanette F. Frankenberg on behalf of Creditor Bank Of America, N.A. cmecf@sternlav.com
Marie-Ann Greenberg magecf@magtrustee.com
Miriam Rosenblatt on behalf of Creditor Bank Of America, N.A. bkyecf@rasflaw.com,
mrosenblatt@rasflaw.com
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Russell L. Low on behalf of Debtor Pedro Nieto rbear611@aol.com,
ecf@lowbankruptcy.com;r57808@notify.bestcase.com
Russell L. Low on behalf of Joint Debtor Maritza Nieto rbear611@aol.com,
ecf@lowbankruptcy.com;r57808@notify.bestcase.com
Sean M. O'Brien on behalf of Creditor Bank Of America, N.A. sobrien@flwlaw.com

TOTAL: 8